IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	10/441,385
Applicant :	Jeff S. Eder
Filed :	May 20, 2003
Art Unit ::	3692
Examiner :	Clement Graham
Docket No. :	AR - 53
Customer No. :	53787

DECLARATION UNDER RULE 132

I, Gregory M. Cusanza, do hereby declare and say:

My home address is 8604 233rd Place NE, Redmond, WA 98053; I have a B.S. degree in computer science from Cal Poly San Luis Obispo;

I have worked in the data processing field for 15 years, concentrating in the disciplines of data storage, data conversion and enteprise processing. I also have extensive knowledge of computer system administration, particularly for Windows-based, Linux, and Unix systems; I have been employed by a corporation that was recently purchased by EMC for 12 years and for Knacta for 1. 5 years.

I further declare that I do not have any direct affiliation with the application owner, Asset Reliance, Inc. I met the inventor for the first time in April 2004. I joined Knacta, Inc., a company run by the inventor in April of 2006. I own a 5% share in Knacta, Inc. I have

never discussed the Lyons patent the instant application or any other patent application where Lyons is the basis for claim rejection with the inventor or anyone else. Knacta, Inc. has a license to the intellectual property associated with this application.

On August 30, 2007 I was given a copy of U.S. Patent 4,989,141 for a COMPUTER SYSTEM FOR FINANCIAL ANALYSES AND REPORTING issued by the United States Patent Office on January 29, 1991. Until that time I had not read the patent. I have studied the entire specification and drawings. I am completely familiar with the language of the claims and conversant with the scope thereof. I understand the invention as claimed.

Based on my experience and training int the field of data storage, data conversion and electronic data processing, I have concluded that the Lyons invention does/does not inherently describe or enable:

1) automated completion of multiple stages of processing with data storage between each stage.

The production phase of this applications operation is composed of multiple stages of processing but each stage requires user action and is therefor not automatic. The user user is required to make choices as to which steps to perform next through the provided menu.

The only one of the user's options that performs multiple stages of processing is the system's BATCH command, however it only stores data in the form of a report at the end. The steps are fixed so there is no way to enable the storage of data in between each stage.

2) conversion and storage of data in a central database in accordance with xml schema or metadata standard.

No reference of XML anywhere in the patent and no standards are referenced which have been recognized by a known standards body or organization. In addition the format of the data in the database is a fixed format primarily based on the SEPT value and therefore not configurable by the user to adapt to other systems.

3) two or more independent components of software to process data integrated in accordance with a common metadata standard

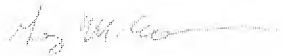
The Lyons invention describes a single application which can be run on multiple machines that must be connected to a central database. They are not able to run without the database being present so they are not independent in that respect. In addition the format of the data that is exchanged between the application and database is not described, therefore it can not be assumed that it follows a common metadata standard.

When communicating with external systems, the format of the data that is exchanged is not defined even when provided in a worksheet. In order to accommodate the varying input formats it is necessary to manually define an "input template". This template is used to convert the data from the external system into a format that the invention's database understands. If a common metadata standard were used then this input template would not be necessary. The template is in the form of a worksheet so it is not possible to adapt it to a metadata standard. This is true whether the data is obtained from the external system susing the X-RUN command via the POP-UP and LINK commands or through the INPUT command.

This patent does not describe a public interface that would enable external systems to exchange data with this system. Because of this, the system as defined would have to adapt to each external system in a way that is unique to each system and not common among components.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Signed,



Gregory M. Cusanza
Date: 01/13/2014

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	10/645,099
Applicant :	Jeff S. Eder
Filed :	August 21, 2003
Art Unit :	3692
Examiner :	Clement Graham
Docket No. :	AR - 55
Customer No. :	53787

DECLARATION UNDER RULE 132

I, Gregory Cusanza, do hereby declare and say: my home address is 8604 233rd Place NE, Redmond, WA 98053 and I have a B.S. degree in computer science from Cal Poly San Luis Obispo.

I have worked in the data processing field for 15 years, concentrating in the disciplines of data storage, data conversion and enteprise processing. I also have extensive knowledge of computer system administration, particularly for Windows-based, Linux, and Unix systems; I have been employed by a corporation that was recently purchased by EMC for 12 years, Knacta for 1. 5 years and Kantrak, Inc. for the last month. I own 5% of the issued common stock in Kantrak, Inc.

I further declare that I do not have any direct affiliation with the application owner, Asset Reliance, Inc. I met the inventor for the first time in April 2004. I joined

Kantrak, Inc., a company run by the inventor in February of 2008. Kantrak, Inc has a license to the intellectual property associated with this application.

On March 24, 2008 I was given a copy of U.S. Patent 5,991,758 for a System and method for indexing information about entities from different information sources by Scott Ellard and a copy of the 10/645,099 patent application. The Ellard patent was issued by the United States Patent Office on November 23, 1999. Until that time I had not read the patent or the patent application. I had previously read a copy of patent application 10/441,385 which is similar to the 10/645,099 specification. I have studied the entire specification of the Ellard invention and application 10/645,099 in order to closely analyze the claims and drawings. I am totally familiar with the language of the claims and conversant with the scope thereof. I completely understand the inventions as claimed.

Because the entities defined by Ellard correspond to items in the specification for application 10/645,099 I will use the term "item" to discuss the Ellard invention. For example, part numbers are items within the inventory financial asset and individual customers are items within the customer element of value (see page 19 of specification for 10/645,099).

Based on my experience and training in the field of data storage, data conversion and electronic data processing, I have concluded that the Ellard invention is not relevant to the claimed invention for a variety of reasons.

Ellard teaches that in order to define an item index it is necessary to complete several steps including eliminating duplicate item records, correcting mis-spellings and finding a way to distinguish between items with the same names. The user is given the option identifying the different records that identify the same item and/or the Ellard system can identify records that identify the same item using scoring. Furthermore, the Ellard invention uses a single index to link together all data from the same item.

The teachings of Ellard are not relevant to the invention described in application 10/645,099 because the primary analysis performed by the disclosed invention of application 10/645,099 (and all other Asset Reliance patent applications I am aware of)

is completed at the element level. As noted on page 44 and page 45 of the specification:

> The software in block 303 retrieves data from the meta data mapping table (141) and the soft asset system table (148) and then assigns item variables, item performance indicators and composite variables to each element of value using a two step process.

For example, the element level analysis for customers incorporates all customer item data. Because of this, the fact that some records may have mis-spelled names and/or that the same customer is identified with different customer numbers is of no consequence. The same is true for the other elements of value.

Using the Ellard system for data consolidation would also destroy the ability of the claimed invention to function. The invention described in application 10/645,099 (and all other Asset Reliance patent applications I am aware of) relies on understanding the classification of the data associated with each item within a schema to complete the claimed processing. For example, a specific company could be a partner, a customer and a vendor. The data for the specific company would therefore be mapped to the partner element of value, the customer element of value and the vendor element of value. Data obtained from outside sources like the Internet and external databases is also classified before it is put in the database (see pages 37 through 39). I am not aware of any way to modify the Ellard invention to recognize the different classifications for the same item without destroying the ability of the Ellard invention to function.

The Ellard invention also teaches away from the claimed invention as it utilizes user established criteria and scoring to identify items that are similar, link them together and then treats them like they are the same item. On the other hand, the claimed invention identifies subcategories of items that are similar within each classification by using clustering algorithms. The clustering algorithms learn the best way to segment the items from the data associated with each classification and then identifies the items as belonging to a segment. This analysis supports analysis at the sub-element level. As stated before, the Ellard invention does not allow for different classifications for the same item. It also does not recognize subcategories within each classification.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Signed.

Greg Cusanza

Date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. :	10/743,616
Applicant :	Jeff S. Eder
Filed :	22 December 2003
Art Unit :;	3692
Examiner :	Jennifer Liversedge
Docket No. :	AR - 61
Customer No. :	53787

DECLARATION UNDER RULE 132

I, Dr. Peter Brous, do hereby declare and say:

My home address is 17221 NE 8th Street, Bellevue, WA 98008. I have a B.S. degree in Finance from the University of Connecticut and a PhD in Finance from the University of Oregon.

I have worked in the finance field for 25 years, concentrating in the areas of corporate performance measures, business valuation, capital budgeting, and real option analysis. I have been a professor of finance at Albers School of Business and Economics at Seattle University for 15 years and was recently honored to hold the Dr. Khalil Dibee Endowed Chair.

I further declare that I do not have any direct affiliation with the application owner, Asset Reliance, Inc or its licensee Knacta, Inc. I met the inventor, the President of Knacta, Inc.,

for the first time on October 16, 2007. I understand that Knacta, Inc. has a license to the intellectual property associated with this application. I have had extremeley brief discussion of this patent application and the article cited below with the inventor.

On October 25, 2007 I was given a copy of "How to sort out the premium drivers of post deal value", by Daniel Bielinski published in Mergers and Acquisitions in July of 1993. Until that time I had not read the article. However, I have read many articles on the subject of Value Based Management. I have a strong understanding of the concept and practice of Value Based Management and have been teaching this concept for over 10 years. I have studied the entire article and I am totally familiar with the language of the article with the scope thereof.

Based on my experience and education in the field of finance, I have concluded that the the Bielinski article and Value Based Management does not inherently describe or enable: the development of a computational model of enterprise market value by element of value and segment of value where the elements of value are selected from the group consisting of alliances, brands, channels, customers, customer relationships, employees, employee relationships, intellectual capital, intellectual property, partnerships, processes, production equipment, vendors and vendor relationships and the segments of value are selected from the group consisting of market sentiment, real option, derivative, excess financial asset.

There are several reasons for this:

1. As stated in the article VBM is similar to SVA. One of the ways it is similar is that it focuses on "value drivers" such as profit margin and growth instead of intangible assets as part of a tree based analysis of cash flow. Unlike SVA, VBM includes operational value drivers that drive the value drivers. However, these are generally not intangible elements of value. For example, Bielinski provides an example of breaking down profit margin by looking more closely at the cost of materials;

2. VBM is also similar to SVA in that it relies on the efficient market theory and this precludes the analysis of market sentiment;

3. SVA and VBM are tools that focus on the standard valuation model, a discounted cash flow model, that does not even consider the value associated with flexibility or decision making that is done sequentially and conditionally based on the arrival of new information. The valuation of this flexibility is the basis for valuation using real option analysis; and

4. Neither VBM or SVA address the valuation of derivatives.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Signed,

Dr. Peter Brous
Date: 10/31/2007